

(B) the Committee on Foreign Affairs, the Committee on Armed Services, and the Permanent Select Committee on Intelligence of the House of Representatives; and

(2) made available to any member of Congress upon request.

SEC. 1079. EXPEDITED PROCEDURES FOR CONGRESSIONAL ACTION.

(a) **CONSIDERATION BY CONGRESS.**—Any resolution of disapproval described in subsection (b) may be considered by Congress using the expedited procedures set forth in this section.

(b) **RESOLUTION OF DISAPPROVAL.**—For purposes of this section, the term “resolution” means only a joint resolution of the two Houses of Congress—

(1) the title of which is as follows: “A joint resolution disapproving of the use of the United States Armed Forces in the prosecution of certain conflict.”;

(2) which does not have a preamble; and

(3) the sole matter after the resolving clause of which is as follows: “That Congress does not approve the use of military force in the prosecution of _____”, with the blank space being filled with a description of the conflict concerned.

(c) **REFERRAL.**—A resolution described in subsection (b) introduced in the Senate shall be referred to the Committee on Foreign Relations of the Senate. A resolution described in subsection (b) that is introduced in the House of Representatives shall be referred to the Committee on Foreign Affairs of the House of Representatives.

(d) **DISCHARGE.**—If the committee to which a resolution described in subsection (b) is referred has not reported such resolution (or an identical resolution) by the end of 10 calendar days beginning on the date of introduction, such committee shall be, at the end of such period, discharged from further consideration of such resolution, and such resolution shall be placed on the appropriate calendar of the House involved.

(e) **CONSIDERATION.**—

(1) **IN GENERAL.**—On or after the third calendar day after the date on which the committee to which such a resolution is referred has reported, or has been discharged (under subsection (d)) from further consideration of, such a resolution, it is in order (even though a previous motion to the same effect has been disagreed to) for any Member of the respective House to move to proceed to the consideration of the resolution. All points of order against the resolution (and against consideration of the resolution) are waived. The motion is highly privileged in the House of Representatives and is privileged in the Senate and is not debatable. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the resolution is agreed to, the respective House shall immediately proceed to consideration of the joint resolution without intervening motion, order, or other business, and the resolution shall remain the unfinished business of the respective House until disposed of.

(2) **DEBATE.**—Debate on the resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours, which shall be divided equally between those favoring and those opposing the resolution. An amendment to the resolution is not in order. A motion further to limit debate is in order and not debatable. A motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the resolution is not in order. A motion to reconsider the vote by which the resolution is agreed to or disagreed to is not in order.

(3) **VOTE ON FINAL PASSAGE.**—Immediately following the conclusion of the debate on the resolution and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the appropriate House, the vote on final passage of the resolution shall occur.

(4) **APPEALS FROM DECISIONS OF CHAIR.**—Appeals from the decisions of the Chair relating to the application of the rules of the Senate or the House of Representatives, as the case may be, to the procedure relating to a resolution shall be decided without debate.

(f) **CONSIDERATION BY OTHER HOUSE.**—

(1) **IN GENERAL.**—If, before the passage by one House of a resolution of that House described in subsection (b), that House receives from the other House a resolution described in subsection (b), then the following procedures shall apply:

(A) The resolution of the other House shall not be referred to a committee.

(B)(i) The consideration as described in (e) in that House shall be the same as if no resolution had been received from the other House; but

(ii) The vote on final passage shall be on the resolution of the other House.

(2) **FOLLOWING DISPOSITION.**—Upon disposition of the resolution received from the other House, it shall no longer be in order to consider the resolution that originated in the receiving House.

(g) **VETOES.**—If the President vetoes a resolution, debate in the Senate of any veto message with respect to the resolution, including all debatable motions and appeals in connection with the resolution, shall be limited to 10 hours, which shall be divided equally between those favoring and those opposing the resolution.

(h) **RULES OF THE SENATE AND HOUSE OF REPRESENTATIVES.**—This section is enacted by Congress—

(1) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such it is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a resolution described in subsection (b), and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(2) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

SEC. 1080. TERMINATION OF FUNDING.

Notwithstanding any other provision of law, no funds appropriated or otherwise made available under any law may be obligated or expended for any activity by United States forces for which prior congressional authorization is required under this part but has not been obtained, or for which authorization is required under this part but has not been obtained by the deadline specified in section 1078(c) or for which a resolution of disapproval in accordance with section 1079(b) has been enacted into law.

SEC. 1081. INTERPRETATION OF STATUTORY AUTHORITY REQUIREMENT.

Statutory authority to introduce United States forces into hostilities or into situations where there is a serious risk of hostilities, or to retain them in a situation where hostilities or the serious risk thereof has developed, shall not be inferred—

(1) from any provision of law, including any provision contained in any appropriation Act, unless such provision expressly authorizes such introduction or retention and states that it is intended to constitute specific statutory authorization within the meaning of this part; or

(2) from any source of international legal obligation binding on the United States, including any resolution of the United Nations Security Council and any treaty ratified before, on, or after the date of the enactment of this Act, unless such treaty is implemented by legislation specifically authorizing such introduction or retention and stating that it is intended to constitute specific statutory authorization within the meaning of this part.

SEC. 1082. SEPARABILITY CLAUSE.

If any provision of this part or the application thereof to any person or circumstance is held invalid, the remainder of the resolution and the application of such provision to any other person or circumstance shall not be affected thereby.

PART II—ARMS EXPORT CONTROL

SEC. 1085. SHORT TITLE.

This part may be cited as the “Arms Export Reform Act of 2021”.

SEC. 1086. PURPOSE.

It is the purpose of this part to ensure the proper role of Congress in national security decisions pertaining to sales, exports, leases, and loans of defense articles, especially with respect to armed conflict and human rights.

SEC. 1087. CONGRESSIONAL AUTHORIZATION OF ARMS SALES.

(a) **CERTIFICATION REQUIRED.**—

(1) **IN GENERAL.**—Notwithstanding any other provision of law, in the case of a covered letter of offer, a covered application for a license, or a covered agreement, before such a letter of offer or license is issued or before such an agreement is entered into or renewed, the President shall submit to Congress a certification described in paragraph (3).

(2) **COVERED LETTERS OF OFFERS, APPLICATIONS FOR LICENSES, AND AGREEMENTS.**—For purposes of this subsection:

(A) A covered letter of offer is any letter of offer to sell under the Arms Export Control Act (22 U.S.C. 2751 et seq.) any item described in subsection (c).

(B) A covered application for a license is any application by a person (other than with regard to a sale under section 21 or 22 of the Arms Export Control Act (22 U.S.C. 2761, 2762)) for a license for the export of any item described in subsection (c).

(C) A covered agreement is any agreement involving the lease under chapter 6 of the Arms Export Control Act (22 U.S.C. 2796 et seq.), or the loan under chapter 2 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2311 et seq.), of any item described in subsection (c) to any foreign country or international organization for a period of one year or longer.

(3) **CERTIFICATION DESCRIBED.**—A certification described in this paragraph is a numbered certification containing the following:

(A) In the case of a letter of offer to sell, the information described in section 36(b)(1) of the Arms Export Control Act (22 U.S.C. 2776(b)(1)) and section 36(b)(2) of such Act, as redesignated by section 1090(a) of this Act, without regard to the dollar amount of such sale, except as specified in subsection (c).

(B) In the case of a license for export (other than with regard to a sale under section 21 or 22 of the Arms Export Control Act (22 U.S.C. 2761, 2762)), the information described in section 36(c) of such Act (22 U.S.C. 2776(c)), as amended by section 1090(b) of this Act, without regard to the dollar amount of such export, except as specified in subsection (c).

(C) In the case of a lease or loan agreement, the information described in section 62(a) of the Arms Export Control Act (22 U.S.C. 2796a(a)), unless section 62(b) of such Act (22 U.S.C. 2796a(b)) applies, without regard to the dollar amount of such lease or loan, except as specified in subsection (c).